

DOCKETED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AUG 18 2004 FILED-ED4

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CLERK
U.S. DISTRICT COURT

BRUCE BERNSTEIN,

Plaintiff,

vs.

MORTGAGE MASTER, LLC,

Defendant.

Civil Action No. 04C 5401

JUDGE JOAN H. LEFKOW
MAGISTRATE JUDGE DENLOW

COMPLAINT

I. Preliminary Statement

1. This is an action for damages brought by an individual consumer against the Defendants for violations of the Fair Credit Reporting Act (hereafter the "FCRA"), 15 U.S.C. §1681 *et seq.*, as amended, and various other laws of the State of Illinois.

II. Jurisdiction and Venue

2. Jurisdiction of this Court arises under 15 U.S.C. § 1681p, 28 U.S.C. §1331, 1337, and supplemental jurisdiction exists for the state law claims pursuant to 28 U.S.C. §1367.

3. Venue lies properly in this district pursuant to 28 U.S.C. §1391(b).

III. Parties

4. Plaintiff, Bruce Bernstein, is an individual who was at all times relevant herein, residing in the Village of Gurnee, County of Lake and State of Illinois.

5. Defendant Mortgage Master, LLC, was at all times a Corporation, involved in part in the business of providing financing for automobile leases, and at all times relevant herein, conducted business in City of Northbrook, County of Cook and State of Illinois.

6. At no time on or prior to June of 2003 did Plaintiff have a credit account or loan with Defendant. In addition, Plaintiff had not applied with Defendant for the purposes of obtaining credit or insurance or applying for employment.

7. In June of 2003, despite knowing that the facts in paragraph 6 above, Defendant accessed Plaintiff's credit files and information impermissibly and through the use of false pretenses, without Plaintiff's consent or knowledge, without legitimate business reason to do so and then never informed Plaintiff of these illegal and impermissible accesses.

8. The aforementioned conduct is a violation of 15 U.S.C. 1681b. As a result of the conduct of the Defendant, Plaintiff has suffered actual damages in the form of financial and dignitary harm arising from the injury to credit rating and reputation as well as an invasion of Plaintiff's privacy, and Plaintiff will continue to suffer the same for an indefinite time in the future, all to Plaintiff's great detriment and loss.

VI. JURY TRIAL DEMAND

9. Plaintiff demands trial by jury on all issues so triable.

WHEREFORE, Plaintiff seeks judgment in Plaintiff's favor and damages against the Defendant, based on the following requested relief:

- (a) Actual damages;
- (b) Statutory damages;
- (c) Punitive damages;
- (d) Costs and reasonable attorney's fees pursuant to 15 U.S.C. §§1681n, 1681o and 815 ILCS 505/2

- (e) An order directing that Defendant immediately delete all of the references to access of Plaintiff's credit reports on said reports, and cease obtaining any further access of Plaintiff's credit report without express permission from Plaintiff;
- (f) Such other and further relief as may be necessary, just and proper.

Respectfully submitted,
BRUCE BERNSTEIN

By: 

Attorney for Plaintiff

Krohn & Moss, Ltd.
Attorney for Plaintiff
120 West Madison Street, 10th Floor
Chicago, IL 60602
Ph#(312) 578-9428
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U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

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Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

Plaintiff(s): **BRUCE BERNSTEIN**Defendant(s): **MORTGAGE MASTERS**County of Residence: **LAKE**County of Residence: **COOK**Plaintiff's Atty: **Larry P. Smith
Krohn & Moss, Ltd.
120 West Madison Street,
Chicago, Illinois 60602
(312) 578-9428**

Defendant's Atty:

04C 5401II. Basis of Jurisdiction:**3. Federal Question (U.S. not a party)**III. Citizenship of PrincipalParties (Diversity Cases Only)Plaintiff:- **N/A**Defendant:- **N/A****JUDGE JOAN H. LEFKOW****MAGISTRATE JUDGE DENLOW**IV. Origin :**1. Original Proceeding**V. Nature of Suit:**890 Other Statutory Actions**VI. Cause of Action:**15 U.S.C. 1681 Fair Credit Reporting Act Claim**VII. Requested in ComplaintClass Action: **No**

Dollar Demand:

Jury Demand: **Yes**VIII. This case IS NOT a refiling of a previously dismissed case.Signature: Date: **8-17-04**

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, print this form, sign and date it and submit it with your new civil action. **Note: You may need to adjust the font size in your browser display to make the form print properly.**

Revised: 06/28/00

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

EASTERN DIVISION

In the Matter of

BRUCE BERNSTEIN
vs.
MORTGAGE MASTERS, LLC

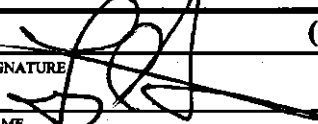
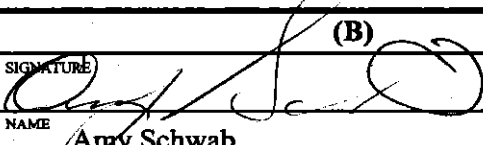
Case Number:

CLERK
U.S. DISTRICT COURT

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR

Plaintiff Bruce Bernstein

JUDGE JOAN H. LEFKOW
MAGISTRATE JUDGE DENLOW

(A)		(B)	
SIGNATURE 		SIGNATURE 	
NAME Larry P. Smith		NAME Amy Schwab	
FIRM Krohn & Moss, Ltd.		FIRM See (A)	
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E-MAIL ADDRESS lsmith@consumerlawcenter.com		E-MAIL ADDRESS aschwab@consumerlawcenter.com	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 6217162		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 6276189	
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TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
		DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
(C)		(D)	
SIGNATURE		SIGNATURE	
NAME		NAME	
FIRM		FIRM	
STREET ADDRESS		STREET ADDRESS	
CITY/STATE/ZIP		CITY/STATE/ZIP	
TELEPHONE NUMBER	FAX NUMBER	TELEPHONE NUMBER	FAX NUMBER
E-MAIL ADDRESS		E-MAIL ADDRESS	
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